

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

GEORGE ROBERT JENKINS,

Petitioner,

Civil No. 09cv2431-DMS (WMc)

FAKHOURY, Warden,

Respondent.

**ORDER DENYING IN FORMA
PAUPERIS APPLICATION AND
DISMISSING CASE WITHOUT
PREJUDICE**

Petitioner, a state prisoner proceeding pro se, has not paid the \$5.00 filing fee and has filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(a).

The request to proceed in forma pauperis is denied because Petitioner has not provided the Court with sufficient information to determine Petitioner's financial status. A request to proceed in forma pauperis made by a state prisoner must include a certificate from the warden or other appropriate officer showing the amount of money or securities Petitioner has on account in the institution. Rule 3(a)(2), 28 U.S.C. foll. § 2254; Local Rule 3.2. Although Petitioner has attached a copy of his inmate trust account, relevant information has been redacted, and the

1 account statement is not certified. Petitioner has failed to provide the Court with the required
2 certified Prison Certificate. (The proper Southern District in forma pauperis form, which
3 includes the required Prison Certificate, is attached for Petitioner's convenience.)

4 Accordingly, the Court **DENIES** the request to proceed in forma pauperis, and
5 **DISMISSES** the case without prejudice. To have the case reopened, Petitioner must, no later
6 than January 10, 2010, provide the Court with: (1) a copy of this Order together with the \$5.00
7 filing fee; or (2) a copy of this Order together with adequate proof that Petitioner cannot pay the
8 \$5.00 filing fee.

9 **IT IS SO ORDERED.**

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11 DATED: November 12, 2009

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HON. DANA M. SABRAW
United States District Judge

CC: ALL PARTIES